

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29498 of 2023

Arising Out of PS. Case No.-13 Year-2023 Thana- DHANKUND District- Banka

MANISH KUMAR SON OF HARINANDAN SAH RESIDENT OF
VILLAGE- MAHUA BAZAR, WARD NO 2 PS -BASNAHI, DISTT-
SAHARSA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 15-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Dhankund P.S. Case No. 13 of 2023 registered for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Amendment Act.

As per prosecution case, there is alleged recovery of
141.48 litre foreign liquor was recovered from the car in
question. Name of present petitioner has been transpired in this
case as owner of the said car.

Learned counsel for the petitioner submits that
petitioner is in custody 18.03.2023. Petitioner bears no criminal
antecedent. Petitioner is not apprehended on spot. Name of



present petitioner has been transpired as the owner of said car. He further submits that petitioner is quiet innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. Petitioner has no knowledge about the occurrence.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of the petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Learned Additional District and Sessions Judge II Banka in connection with Dhankund P.S. Case No. 13 of 2023, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife of the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates



without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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